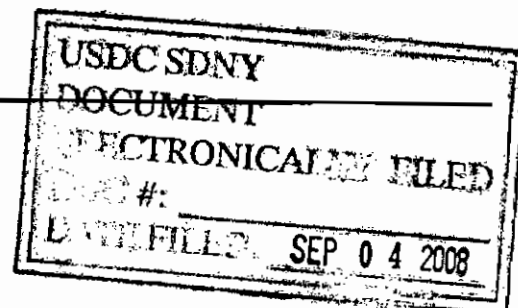




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September 3, 2008

FILED BY ECF AND
COURTESY COPY
SENT VIA FACSIMILE
(212 805 0426)

Judge Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Javier Alejandro
Ind. S1 07 CR 25 (LTS)

Dear Judge Swain:

I am a partner in the above law firm which represents Mr. Javier Alejandro. I write to request an adjournment of the court date scheduled for tomorrow, September 4, 2008 at 12 noon. My client and I have had numerous meetings with AUSA Glen McGorty regarding a disposition of this matter. Our discussions and meetings are ongoing. I have spoken with AUSA Todd Blanch (I am advised that Mr. McGorty is on vacation and I have been communicating with Mr. Blanch) who has advised that he consents to the adjournment. I respectfully request that the matter be adjourned for approximately 4 weeks so that the parties can report back to the Court to advise of ongoing progress.

Respectfully,

ROGER ASMAR

cc:

AUSA Todd Blanch

THE APPLICATION IS GRANTED. THE CONFERENCE IS adjourned to
10/7/08 AT 4:30 PM IN COURTROOM 17C. THE COURT FINDS PURSUANT TO 18 U.S.C.
§3161(h)(8)(A) THAT THE ENDS OF JUSTICE SERVED BY AN EXCLUSION OF THE TIME FROM
TODAY'S DATE THROUGH 10/7/08 OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE
DEFENDANT IN A SPEEDY TRIAL FOR THE REASONS STATED ABOVE. SO ORDERED.

LAURA TAYLOR SWAIN, USDJ